

IN THE CLAIMS

Please cancel claims 22, 23, 28, 29, 33, 34, 40, 41, 45, 46, 52-71 without prejudice and with the right to pursue in subsequent applications.

Please add new claim 72 and 73:

72. (New) A method as recited in claim 24, wherein the coprecipitating step includes adjusting the pH of the solution.

73. (New) A method as recited in claim 72, wherein the coprecipitating step includes adjusting the pH of the solution between 3 and 14.

REMARKS

Claims 1-73 are pending in this application. Claims 22, 23, 28, 29, 33, 34, 40, 41, 45, 46, and 52-71 were cancelled without prejudice and with the right to pursue in subsequent application since they were withdrawn from further consideration pursuant to a restriction requirement, the requirement having been traversed. Thus, claims 1-21, 24-27, 30-32, 35-39, 42-44, 47-51 were examined and are the subject of this Response.

New claims 72-73 has been added. Support for new claim 72-73 may be found in the specification on p. 15, lines 19-24.

Claims 1-21, 24-27, 30-32, 35-39, 42-44 and 47-51 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-55 of U.S. Patent No. 6,143,689.

Without acquiescing to this rejection and without surrendering any subject matter, Applicants hereby file a terminal disclaimer over U.S. Patent No. 6,143,689. Therefore, this rejection is moot and withdrawal of this rejection is respectfully requested.

With the removal of this rejection, claims 11, 14-20, 25, 30-32 and 35-39 are now allowable and notice to that effect is respectfully requested.